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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR07-275-MJP
10)
11 Plaintiff,)
12)
13 v.)
14 RICHARD A. ORTIZ,)
15)
16 Defendant.)
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22)

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14 Offense charged: Possession of Methamphetamine with Intent to Distribute, Possession of
15 a Firearm in Furtherance of a Drug Trafficking Crime, Felon in Possession
16 of a Firearm

17 Date of Detention Hearing: August 8, 2007

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
19 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
20 that no condition or combination of conditions which defendant can meet will reasonably assure
21 the appearance of defendant as required and the safety of other persons and the community.

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01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 1. Defendant has been charged with the offense of possession of Methamphetamine
03 with Intent to Distribute. The maximum penalty of this offense is in excess of ten years. There
04 is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk,
05 under 18 U.S.C. §3142(e).

06 2. Defendant has a criminal history that includes numerous failures to appear and
07 failures to comply with community supervision. There is an active no-bail warrant from Pierce
08 County. He lacks a stable employment history and is alleged to be a user of illegal substances.

09 3. Taken as a whole, the record does not effectively rebut the presumption that no
10 condition or combination of conditions will reasonably assure the appearance of the defendant as
11 required and the safety of the community.

12 It is therefore ORDERED:

13 (1) Defendant shall be detained pending trial and committed to the custody of the
14 Attorney General for confinement in a correction facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or being held in custody
16 pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 Government, the person in charge of the corrections facility in which defendant is
21 confined shall deliver the defendant to a United States Marshal for the purpose of
22 an appearance in connection with a court proceeding; and

01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 8th day of August, 2007.

05 
06 Mary Alice Theiler
07 United States Magistrate Judge